

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317)232-9855

FISCAL IMPACT STATEMENT

LS 6052

BILL NUMBER: HB 1033

DATE PREPARED: Feb 24, 1999

BILL AMENDED: Feb 24, 1999

SUBJECT: Railroad employees involved in accidents.

FISCAL ANALYST: James Sperlik

PHONE NUMBER: 232-9866

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) This bill requires a Class I or Class II railroad company to offer to relieve an employee involved in a train accident from duty for three days if the accident results in a death or a serious bodily injury. It requires a Class I or Class II railroad company to provide counseling services to an employee involved in a train accident that results in a death or a serious bodily injury. The bill provides that if an employee requests an extension of the counseling services provided by the railroad company, the railroad shall have a mental health professional certify that the employee does not suffer from posttraumatic stress disorder before the railroad may discontinue counseling services. It makes it a Class C infraction for a railroad company to violate these requirements.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues: If additional court cases occur, revenue to the State General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500 which is deposited in the State General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in State General Fund if the case filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.(2) A \$3 fee would be

assessed, and if collected would be deposited into the county law enforcement continuing education fund.
(3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Northern Indiana Commuter Transportation District

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: John Parsons, Northern Indiana Commuter Transportation District, 219-926-5744.